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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,742	09/30/2003	Geoffrey T. Dunbar	MS1-1723US	4212
22801	7590	10/19/2007		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER LEMMMA, SAMSON B	
			ART UNIT	PAPER NUMBER
			2132	
			MAIL DATE	DELIVERY MODE
			10/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,742

Applicant(s)

DUNBAR ET AL.

Examiner

Samson B. Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>held on 06/26/07</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

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DETAILED ACTION

1. This office action is in reply to an amendment filed on August 08, 2007.
All independent claims 1, 26, 48 and 64 are amended. Claims 1-79 are pending/examined.
2. Applicant's amendment made overcomes the § 101 and § 112 rejections set forth in the previous office actions and the rejections are withdrawn.
3. Applicant's Attorney (Richard Bucher Reg. No. 57,971) and Examiner have conducted a telephone interview on June 26, 2007 and subject matter of the interview is attached.

Priority

4. This application does not claim priority of any application. Therefore, the effective filing date for the subject matter defined in the pending claims of this application is **09/30/2003**.

Response to Arguments

5. Applicant's remark/arguments filed on August 08, 2007 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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7. **Claims 1-79** are rejected under 35 U.S.C. 102(e) as being anticipated by **Alkove et al** (hereinafter refereed as **Alkove**) (Publication No. 2004/0143760) (filed on January 21, 2003).
8. **As per independent claims 1, 26, 48 and 64 Alkove discloses a method/ a computer-readable storage medium encoded with a data structure for use in an image file to store data, the data structure comprising:**
- a data portion [figure 2, ref. Num 204] comprising:**
- first image data related to a first multimedia stream of multimedia data; [“figure 2, ref. Num “204-, “Video data Object(s)”] and**
- a first arbitrary data related to a second multimedia stream of multimedia data [Figure 2, ref. Num “204-2”, “Audio object(s)”]; and**
- a header portion [See figure 2, ref. Num “202”, “Data Stream DRM Header(s)”] comprising:**
- a first header object comprising information related to the first multimedia stream, [figure 2, ref. Num 202-, “DRM Video header(s)”]_; and**
- a second header object comprising information related to the second data multimedia stream [figure 2, ref. Num “202-2”, “DRM Audio header(s)”]**
- (Paragraph 0028 discloses how the first and the second header object comprising information related to the first multimedia data stream and second multimedia data stream respectively. For instance on paragraph 0028, the following has been disclosed. “Depending on the particular data streams provided by encoded data file 112 (FIG. 1), there can be any of one or more of the different data stream headers 202 of FIG. 2 as a function of how the various data streams are packaged by the content packager 204. That is there can be a one-to-one or a*

one to many mapping of a DRM header 202 to specific encrypted data object(s) 204. A one-to-many mapping, for example, lists the header information 202 that maps to a list of encrypted data objects 204 (e.g., video, metadata, audio, and/or other). In the particular example of FIG. 2, there is a one-to-one mapping of DRM metadata header 202-1 to metadata object 204-1, DRM audio header 204-2 to audio object 204-2, and DRM video header 202- . . . to video object 204- . . .)

9. **As per claims 2, 27, 49, 65 and 76-79** Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method wherein, the first arbitrary data comprises second image data, the first and second image data providing different representations of a single image. [the “audio objects/first arbitrary data shown on figure 2, ref. Num “204-2” and the video data shown on figure 2, ref. Num “204- are different representation of a single encrypted image/ media data shown on figure 2, ref. Num “204”, “encrypted data objects”]

10. **As per claims 3-4 and 28** Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method wherein, the first and second image data comprise compressed and uncompressed image data respectively.[paragraph 0017, the last three lines and figure 2) (The encoded digital media file is a single file that includes multiple streams of digital data such as any combination of video, audio, and/or metadata data streams and compressing is a feature including in the packaging.)

11. **As per claims 5-9 and 29-34** Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method wherein, the first image data represents the single image having a first pixel resolution, and the second image data represents the single image having a second pixel resolution different from the first pixel resolution wherein the first image data is derived using a first

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color space and second image data is derived from a second color space. [figure 2, this is a feature of the images data represented in figure 2 and ASF disclosed on paragraph 0002]

12. As per claims 10-11, 24-25, 61-62 and 75 Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method wherein, the first image data represents the single image having a first field of view, and the second image data represents the single image having a second field of view. [Paragraph 0021] (On paragraph 0021, the following has been disclosed. "When end-user 110 attempts to access, via content distributor 106, any data streams associated with data file 114, the content distributor redirects the end-user request to license server/issuer 108 so that the end-user may obtain a license to view the corresponding data streams")

13. As per claims 12-17, 35-39, 50-54 and 66-69 Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method wherein, the first arbitrary data comprises data representing an annotation of an image represented by the first image data. (See on figure 2, "audio objects")

14. As per claims 18, 40, 55 and 70 Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method further comprising adding metadata to the image container file. [See figure 2, "metadata headers and metadata data objects]

15. As per claims 19, 41, 56 and 71 Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method further comprising forming an index portion to contain information related to a location of data stored in the image container file. [Paragraph 0002, this is a feature of "Advanced streaming Format ASF file"]

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16. As per claims 20-23, 42-47, 57-60 and 72-74 Alkove discloses a method as applied to claims above. Furthermore Alkove discloses the method further comprising storing digital rights management information in the image container file. (See on figure 2 ref 202, 201-1, 202-2, 202- and 202-N, DRM Headers.) (Furthermore on paragraph 0023, the following has been disclosed. "The data file includes data stream **DRM header(s) 202 and encrypted data objects 204. Each header 202 provides respective information for a collection of one or more data streams specified as a separate group for licensing, as discussed above with respect to content packager 104 (FIG. 1)).**

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO-Form 892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-873-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.


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Should you have questions on access to the Private PAIR system, contact the
Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.

10/10/2007


Benjamin F. Lanner
Examiner AU 2132